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Counsel for Plaintiffs and the Proposed Class

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RICHARD GIBSON and ROBERTO
MANZO,

Plaintiffs,

v.

CENDYN GROUP, LLC, THE RAINMAKER
GROUP UNLIMITED, INC., CAESARS
ENTERTAINMENT INC., TREASURE
ISLAND, LLC, WYNN RESORTS
HOLDINGS, LLC, BLACKSTONE, INC.,
BLACKSTONE REAL ESTATE PARTNERS
VII L.P., JC HOSPITALITY, LLC.

Defendants.

Case No. 2:23-cv-00140-MMD-DJA

**PLAINTIFFS' NOTICE OF
SUPPLEMENTAL AUTHORITY**

1 Plaintiffs respectfully submit the Statement of Interest filed by the U.S. Department of
 2 Justice and the Federal Trade Commission in *Cornish-Adebiyi et al. v. Caesars Entertainment Inc.,*
 3 *et al.*, No. 1:23-cv-02536-KMW-EAP (D.N.J. Mar. 28, 2024) as supplemental authority (hereafter
 4 “Statement”). The Statement is attached hereto as Exhibit A.

5 In *Cornish*, the plaintiffs—a putative class of consumers who rented casino-hotel rooms in
 6 Atlantic City, New Jersey—challenge a scheme in many ways identical to the one at issue in this
 7 case, alleging that defendant casino-hotels (including many of the same defendants named in this
 8 case) knowingly adopted and used Rainmaker’s pricing algorithm to fix, stabilize, and artificially
 9 inflate rental prices for guest rooms in Atlantic City. *See* Ex. B (amended complaint). The *Cornish*
 10 defendants recently moved to dismiss. *See* Ex. C (joint motion to dismiss); Ex. D (*Cornish*
 11 plaintiffs’ opposition).¹ The Department of Justice submitted a Statement of Interest in the case to
 12 “summarize the applicable legal principles for claims of algorithmic price fixing and to address
 13 two legal errors that defendants appear to make in their motion to dismiss.” Ex. A at 2-3. Plaintiffs
 14 respectfully submit that the Statement of Interest is of persuasive value in this case.

15
 16 DATED: April 1, 2024

Respectfully submitted,

HAGENS BERMAN SOBOL SHAPIRO LLP

By: /s/ Steve W. Berman

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28 ¹ Plaintiffs include the *Cornish* briefing for completeness and do not represent it is authority.

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CERTIFICATE OF SERVICE

I hereby certify that on April 1, 2024, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to those attorneys of record registered on the CM/ECF system. All other parties (if any) shall be served in accordance with the Federal Rules of Civil Procedure.

DATED: April 1, 2024

/s/ Steve W. Berman
Steve W. Berman